

George W. Pratt (2642)
Jack L. Darrington (18349)
BUCHALTER, P.C.
60 E. South Temple, Suite 1200
Salt Lake City, UT 84111
(801) 401-8625
gpratt@buchalter.com
jdarrington@buchalter.com

Attorney for Plaintiff
ONWARD HOLDINGS, LLC

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

ONWARD HOLDINGS, LLC,

Plaintiff,

vs.

PRIME CAPITAL VENTURES, LLC; and Kris
Roglieri,

Defendants.

MOTION FOR ENTRY OF DEFAULT

Civil No.: 2:23-cv-00833-JCB

Magistrate Judge Jared C. Bennett

Pursuant to Federal Rules of Civil Procedure 55 and DUCivR 55-1, Plaintiff Onward Holdings, LLC (“**Onward**”), hereby seeks the entry of a Default Certificate with respect to both Defendants in this case: Prime Capital Ventures, LLC (“**Prime**”), and Kris Roglieri, for failure to Answer or otherwise defend this lawsuit.

Both Defendants have been properly served notice of this lawsuit. (*See* Declaration of James Harrison in Support of Motion for Entry of Default (the “**Harrison Declaration**”), attached hereto as **Exhibit A**, at ¶¶ 6-7. *See also* Dkt. 6-7.) Prime is an entity and thus not in military service. Mr. Roglieri is not in military service, or an incompetent person. (*See* Harrison

Decl. at ¶ 5.) Both Prime and Mr. Roglieri have failed to answer or otherwise respond to this lawsuit, despite the fact that Mr. Roglieri (who is Prime's principal) is well aware of the lawsuit and has been in routine communication with Onward's Principal, Mr. Harrison. (*See id.* at ¶ 8.)

Pursuant to DUCivR 55-1, the Clerk may enter the default certificate because the outstanding amount Mr. Roglieri and Prime jointly owe Onward is certain, and based in contract.

DATED: December 18, 2023

BUCHALTER, P.C.

/s/ Jack L. Darrington

George W. Pratt

Jack L. Darrington

Attorneys for Plaintiff

ONWARD HOLDINGS, LLC

CERTIFICATE OF SERVICE

On this 18th day of December 2023, I hereby certify that I electronically filed a true and correct copy of the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification and service to all counsel of record.

/s/ Jack L. Darrington

EXHIBIT A

George W. Pratt (2642)
Jack L. Darrington (18349)
BUCHALTER, PC
60 E. South Temple, Suite 1200
Salt Lake City, UT 84111
(801) 401-8625
gpratt@buchalter.com
jdarrington@buchalter.com

Attorney for Plaintiff ONWARD HOLDINGS, LLC

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

ONWARD HOLDINGS, LLC,

Plaintiff,

vs.

PRIME CAPITAL VENTURES, LLC; and Kris
Roglieri,

Defendants.

**DECLARATION OF JAMES HARRISON
IN SUPPORT OF MOTION FOR ENTRY
OF DEFAULT**

Civil No.: 2:23-cv-00833-JCB

Magistrate Judge Jared C. Bennett

Pursuant to DUCivR 55-1(b)(1)(B), James Harrison declares as follows:

1. I am over the age of 18, and competent to testify to all matters herein.
2. I am Partner with Clark Capital Partners, of which Onward Holdings, LLC (“Onward”), is a wholly owned subsidiary.
3. I have been in regular contact with Kris Roglieri, both before and after Onward filed suit against him and Prime Capital Ventures, LLC (“Prime”).
4. Mr. Roglieri is a principal of Prime.
5. Based on my communications with Mr. Roglieri, I know that he is not an infant, in military service, or an incompetent person.

6. Prime's registered agent was served by personal service by a process server on Tuesday, November 21, 2023. (Dkt. 6)

7. Mr. Roglieri was served with by personal service by a process server on November 15, 2023. (Dkt. 7.)

8. I have communicated with Mr. Rogliari both before and after filing the complaint. We communicated about the fact that he had been served with the lawsuit. We discussed his deadlines to respond. Nevertheless, he chose not to respond to the complaint on his own behalf, or on Prime's behalf.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED: December 18, 2023

/s/ James Harrison*
James Harrison
e-signed with permission